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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of)
GMW Fire Protection, Inc.,)
an Alaska Corporation,)
)
Plaintiff,)
v.)
)
KANAG'IQ CONSTRUCTION CO., INC.,)
an Alaska Corporation and)
WESTERN SURETY COMPANY, a)
South Dakota Corporation,)
)
Defendant.)
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) Case No. A-05-0170 CV (TMB)

OPPOSITION TO DEFENDANT'S 8/26/08 MOTION
TO ALTER OR AMEND JUDGMENT

Defendants *again* move to alter of amend the judgment entered in this case. The language Defendants complain of follows the language discussing the liability of the surety company and that liability is in fact joint and several. The judgment is not in error and need not be altered or amended.

The ceaseless post trial motions filed by Defendants, this baseless and unnecessary motion particularly, appear to be perilously close to a violation of Federal Rule of Civil Procedure

11(b). This motion and some of the others cannot easily be seen as anything other than a ploy to cause unnecessary delay and to needlessly increase the cost of litigation. Defendants motion should be denied.

Respectfully submitted this 27th day of August, 2008.

s/ Sarah J. Tugman
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CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of August, 2008, a copy of the foregoing document was served electronically on Tom Gingras, attorney for Kanag'Iq Construction, Inc.

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